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MAY - 5 2004

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NORTHERN DISTRICT OF CALIFORNIA

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MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

INTERTRUST TECHNOLOGIES
CORPORATION, a Delaware corporation,

Plaintiff,

v.

MICROSOFT CORPORATION, a
Washington corporation,

Defendant.

Case No. C 01-1640 SBA (MEJ)
Consolidated with C 02-0647 SBA (MEJ)

JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE

AND RELATED CROSS-ACTION.

1 WHEREAS the Parties have resolved their dispute;

2 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff

3 InterTrust Technologies Corporation and Defendant and Counterclaimant Microsoft Corporation

4 by and through their respective undersigned counsel, and pursuant to Federal Rules of Civil

5 Procedure 41(a)(1)(ii) and 41(c), that the above-captioned matter be dismissed in its entirety with

6 prejudice, with each side bearing its own costs and attorney's fees.

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9
10 Dated: 5/5/04

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Eric L. Wesenberg
Attorneys for Defendant and Counterclaimant
MICROSOFT CORPORATION

11
12
13
14 Dated: 5/6/04

MICHAEL H. PAGE
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Michael H. Page
Attorneys for Plaintiff and Counterdefendant
INTERTRUST TECHNOLOGIES CORP.

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21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: 5-6-04

Hon. Sandra Brown Armstrong
United States District Judge

1 **DECLARATION OF SERVICE VIA ELECTRONIC MAIL AND U.S. MAIL**

2 I am more than eighteen years old and not a party to this action. My place of
3 employment and business address is 1000 Marsh Road, Menlo Park, California 94025.

4 On May 10, 2004, I served:

5 **JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

6 By transmitting a copy of the above-listed document(s) in PDF form via electronic mail Michael
7 H. Page at **mhp@kvn.com**, Doug Derwin at **doug.derwin@derwin.com**,
8 **dderwin@intertrust.com**; James E. Geringer at **james.geringer@klarquist.com** and Michael
Lyons at **mlyons@morganlewis.com** and also by placing true and correct copies of the above
documents in an envelope addressed to:

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MICROSOFT CORPORATION

21
22 and sealing the envelope, affixing adequate first-class postage and depositing it in the U.S. mail
23 at Menlo Park, California.

24 Executed on May 10, 2004 at Menlo Park, California.

25 I declare under penalty of perjury that the foregoing is true and correct.

26
27 _____
ANNA FREDDIE